

Order

Michigan Supreme Court
Lansing, Michigan

April 23, 2014

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2013-22

Michael F. Cavanagh
Stephen J. Markman

Proposed Amendment of
Rule 4.201 of the Michigan
Court Rules

Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

On order of the Court, this is to advise that the Court is considering an amendment of Rule 4.201 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted at [Administrative Matters & Court Rules page](#).

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 4.201 Summary Proceedings to Recover Possession of Premises

(A)-(L)[Unchanged.]

(M) Postjudgment Motions.

(1) Except as provided in MCR 2.612, or for a motion to set aside a default money judgment, any postjudgment motion must be filed no later than 10 days after judgment enters.

(~~1~~2) [Former paragraph (1) renumbered as “(2),” but otherwise unchanged.]

(3) A motion to set aside a default money judgment shall comply with MCR 2.603(D).

(24) [Former paragraph (2) renumbered as “(4),” but otherwise unchanged.]

(N)-(O) [Unchanged.]

Staff Comment: This proposed amendment would clarify that the typical procedure for setting aside a default judgment in MCR 2.603 applies in landlord/tenant cases that result only in a default money judgment.

The staff comment is not an authoritative construction by the Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Supreme Court Clerk in writing or electronically by August 1, 2014, at P.O. Box 30052, Lansing, MI 48909, or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2013-22. Your comments and the comments of others will be posted under the chapter affected by this proposal at [Proposed & Recently Adopted Orders on Admin Matters page](#).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 23, 2014

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk